ATTORNEY'S DOCKET NO.: 2003080-0142 (SK-893-B-US) IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: Danishefsky *et al.* Examiner : NYA : 10/728,041 Art Unit : NYA : December 3, 2003

Filed : December 3, 2003

For : CLUSTERED MULTI-ANTIGENIC CARBOHYDRATE CONSTRUCTS,

METHODS FOR THEIR PREPARATION, AND USES THEREOF

Certificate of Mailing I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Pateots, P.O. Boot 1459, Alexandria, VA 22313-1450 January 7, 2004 Date Kenneth R. Maben Typed or Printed Name of person signing certificate

Commissioner for Patents P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

TRANSMITTAL

Enclosed please find the following documents regarding the above-referenced matter:

- Form PTO-1449 (7 pages);
 - Statement Filed Pursuant to the Duty of Disclosure Under 37 CFR §§1.56, 1.97 and 1.98 (6 pages);

Respectfully submitted,

Nadége M. Lagneau, Ph.D. Reg. No. 51,908

- 3. Cited Art (17 references); and
- Return Postcard.

Please charge any fees or credit any overpayments to our Deposit Account No. 03-1721.

Dated: January _______, 2004

PATENT GROUP CHOATE, HALL & STEWART Exchange Place 53 State Street Boston, MA 02109 Tel: (617) 248-5000 Fax: (617) 248-4000

Page 1 of 1



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant Serial No. Filed For	: Danishefsky et al. : 10/728,041 : December 3, 2003 : CLUSTERED MULTI-CONSTRUCTS, METH			
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Commissione P. O. Box 14 Alexandria, V Sir:	50 /A 22313	TEMENT		
Pursu	ant to the duty of disclosure unde	er 37 C.F.R. §§1.56	, 1.97 ar	nd 1.98, Applicant
requests cons	ideration of this Information Disc	closure Statement.		
Type of State	<u>ment</u>			
The p	resent Information Disclosure Sta	atement is:		
[X]	An original Information Disclo	sure Statement; or		
[]	A supplemental Information Di	sclosure Statement		

Atty Docket No.: 2003080-0142

Client Reference: SK-893-B-US

Compliance with 37 CFR § 1.97

[X]

[X]

The present Information Disclosure Statement is being filed:

Pursuant to 37 CFR § 1.97(b); no fee or certification is required:

Within three months of the filing date of a national application other than

		a cont	tinued prosecution application under § 1.53(d);
	[]	Withi	n three months of the date of entry of the national stage as set forth
		in § 1.	491 in an international application;
	[]	Befor	e the mailing of a first Office action on the merits; or
	[]	Befor	e the mailing of a first Office action after the filing of a request for
		contin	nued examination under § 1.114.
[]	Pursu	ant to 3	7 CFR § 1.97(c) after the dates listed above but before the mailing
	date o	f any of	f a final action under § 1.113, a notice of allowance under § 1.311, or
	an act	ion that	otherwise closes prosecution in the application; Applicant hereby
	either	:	
	[]	Certif	ies that either:
		[]	each item of information contained in the information disclosure
			statement was first cited in any communication from a foreign
			patent office in a counterpart foreign application not more than
			three months prior to the filing of the information disclosure
			statement; or
		[]	That no item of information contained in the information
			disclosure statement was cited in a communication from a foreign
			patent office in a counterpart foreign application, and, to the

knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement; or

[]		Includes	herewith	the	fee se	forth	in	§	1.17	(p).
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- [] Pursuant to 37 CFR § 1.97(d), after the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby both:
 - [] Certifies that either:
 - [] each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
 - [] That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.: and

Content of the Information Disclosure Statement

Applicant hereby makes of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant includes copies of references as indicated below:

- [X] A copy of each cited reference not indicated with an asterisk is included:
- [X] Copies of references indicated with an asterisk on the attached form PTO-1449 are not included pursuant to 37 CFR § 1.98(d) because they were previously provided to the United States Patent Office in an Information Disclosure Statement that complies with 37 CFR § 1.98(a)-(c) and was submitted in the following patent application that is relied upon in the present case for an earlier effective filling date under 35 USC § 120:

	Serial Number	Filing Date	Status
	09/641,742	August 18, 2000	Pending
-	10/209,618	July 31, 2002	Pending

[] Copies of English translations of one or more non-English references are included

Applicant hereby makes the following additional information of record in the aboveidentified application:

Applicant certifies that the Information Disclosure Statement either:

[]	Doe	not contain	non-English	language	citations;
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[] Does contain non-English language citations, of which the following is a concise explanation:

Atty Docket No.: 2003080-0142

Client Reference: SK-893-B-US

[] Includes one or more translations of a non-English citation.

Remarks

The submission of this Information Disclosure Statement should not be construed as a representation that a search has been made.

The submission of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b).

The submission of this Information Disclosure Statement shall not be construed as a representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

It is respectfully requested that:

- The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- The enclosed form PTO-1449 be signed by the Examiner to evidence that the
 cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark
 Office during the examination of this application; and
- The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

Respectfully submitted,

Nadège M. Lagneau, Ph.D.

Reg. No. 51,908

PATENT GROUP CHOATE, HALL & STEWART Exchange Place 53 State Street Boston, Massachusetts 02109 Tel: (617) 248-5000

Fax: (617) 248-5000

Dated: January 8, 2004

Form PTO-1449 (REV. 8-83) U.S. Department of Commerce Patent and Trademark Office Atty. Docket: 2003080-0142 (SK-893-B-US) In re Application No. 10/728,041

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Applicant: Danishefsky et al.

Filing Date: December 3, 2003 Group: NYA

U. S. PATENT	DOCUMENTS				
Examiner's Initials	U.S. Patent No.	Applicant	Issue Date	Class	Subclass
/KAC/	* 5,053,489	Kufe et al.	10/1/91	530	350
	* 5,212,298	Rademacher et al.	5/18/93	530	55.2
	* 5,229,289	Kjeldsen et al.	7/20/93	435	240.27
	* 5,280,113	Rademacher et al.	1/18/94	536	55.2
	* 5,376,531	Anderson et al.	12/27/94	435	240.24
	* 5,421,733	Nudelman et al.	6/6/95	435	105
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Form PTO-1449 (REV. 8-83)	U.S. Depart Patent and	Atty. Docket: 2003080-0142 (SK-893-B-US)	In re Application No. 10/728,041		
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JAN 1 2 2004 S	* 6,013,779	Wong et al.	1/11/00	536	18.6
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/KAC/	* USSN 08/457,485	Taylor-Papadimitriou et al.	6/1/95		
U. S. PATENT P	UBLICATIONS				<u> </u>
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/KAC/	US 2002/0006900	Danishefsky et al.	January 17, 2002	514	8
/KAC/	US 2002/0038017	Danishefsky et al.	March 28, 2002	536	53
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Б . ,					
Examiner's Initials	Document No.	Country	Publication Date	Translati	on
				Yes	No
/KAC/	* EP 341252	EP	11/19/97		
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Form PTO-1449 (REV. 8-83)	. 8-83) Patent and Trademark Office			In re Application No. 10/728,041
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/Karen A. Canella, Ph.D./

DATE CONSIDERED 07/09/2007

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

denotes references cited in IDS'es submitted for parent applications USSN 09/083,776, filed March 25, 1998; and 10/209,618, filed July 31,